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12 *USB Technologies, LLC,*

13 **UNITED STATES DISTRICT COURT**

14 **CENTRAL DISTRICT OF CALIFORNIA**

15 USB Technologies, LLC, a California) Case No. 2:15-cv-05050
16 limited liability company,)
17) **COMPLAINT FOR PATENT**
18 Plaintiff,) **INFRINGEMENT AND**
19) **PERMANENT INJUNCTION**
20 v.)
21) **DEMAND FOR JURY TRIAL**
22 Office Depot, Inc., a Delaware)
23 corporation; and DOES 1 through 5,)
24 Inclusive,)
25)
26 Defendants.)
27)
28)

1 Plaintiff USB Technologies, LLC, (“USB Technologies”), by and through its
2 undersigned counsel, for its Complaint against Defendant Office Depot, Inc. (“Office
3 Depot”); and Does 1-5 (collectively, “Defendants”)] makes the following allegations.
4 These allegations are made upon information and belief.

5 **JURISDICTION AND VENUE**

6 1. This is an action for patent infringement arising under the patent laws of
7 the United States, including 35 U.S.C. §§ 271, 281, and 283-285.

8 2. This Court has subject matter jurisdiction over this action pursuant to 28
9 U.S.C. § § 1331 and 1338(a) because it arises under United States Patent law.

10 3. Venue is proper in this District pursuant to 28 U.S.C. §1391(b) and (c).
11 On information and belief, Defendants are subject to this Court’s personal jurisdiction
12 in that the acts and transactions complained of herein include the import and sale of
13 infringing goods, identified herein, through the State of California and specifically in
14 this District. Furthermore, Defendants’ sales transactions are initiated nationwide
15 over the Internet, including sales targeted to the State of California and this District,
16 thereby purposefully availing themselves of the benefits of the state.

17 **THE PARTIES**

18 4. USB Technologies is a limited liability company organized under the
19 laws of the State of California and has an office and principal place of business at 35
20 Hugus Alley, Suite 210 Pasadena, California 91103.

21 5. Upon information and belief, Office Depot, Inc. is a corporation
22 organized under the laws of the State of Delaware having a place of business at 6600
23 North Military Trail, Boca Raton, Florida 33496.

24 6. The true names and capacities, whether individual, corporate or
25 otherwise of the Defendants named herein as DOES 1 through 5, inclusive, are
26 unknown to Plaintiff, who therefore sues Defendants by such fictitious
27 names. Plaintiff will ask leave of Court to amend this Complaint and insert the true
28 names and capacities of said Defendants when the same have been ascertained.

1 to be determined, including but not limited to Plaintiff's lost profits and/or reasonable
2 royalties.

3 **PRAYER FOR RELIEF**

4 WHEREFORE, Plaintiff prays for relief against Defendants as follows:

5 A. For a preliminary injunction to issue against each Defendant, its agents,
6 servants, employees, successors and assigns and all others in concert and privity with
7 it from making, using, offering to sell, selling, or importing into the United States any
8 product infringing on the claims of United States Patent No. 7,809,866;

9 B. For a permanent injunction to issue against each Defendant, its agents,
10 servants, employees, successors and assigns and all others in concert and privity with
11 it from making, using, offering to sell, selling, or importing into the United States any
12 product infringing on claims of United States Letters Patent No. 7,809,866;

13 C. An award of damages in an amount to be determined at trial, but not less
14 than a reasonable royalty and/or Plaintiff's lost profits as a result of each Defendant's
15 infringing actions;

16 D. A finding that each Defendant's infringement has been willful;

17 E. A trebling, pursuant to 35 U.S.C. § 284, of any and all damages awarded
18 for each Defendant's infringement of the '866 Patent;

19 F. A finding that this is an exceptional case under 35 U.S.C. § 285;

20 G. An award, pursuant to 35 U.S.C. § 285, of reasonable attorneys' fees;

21 H. An award of interest and costs; and

22 I. For such other and further relief as may be just and equitable.

23 **DEMAND FOR TRIAL BY JURY**

24 Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby
25 demands a jury trial on all issues and causes of action triable to a jury.

26
27 Respectfully submitted,

28 DATED: July 2, 2015

COTMAN IP LAW GROUP, PLC

s/ Rasheed M. McWilliams

By: _____

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